

REMARKS

Claims 42-45 are pending in the subject application.

Applicants have canceled claims 36, 38, 39, and 41 in favor of new claims 42-45.

The changes to the claims made herein do not introduce any new matter.

Rejection Under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claims 36, 38, 39, and 41 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In light of the cancellation of claims 36, 38, 39, and 41, this rejection under 35 U.S.C. § 112, first paragraph, is moot.

Rejection Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 36, 38, 39, and 41 under 35 U.S.C. § 103(a) as being unpatentable over *Tamura et al.* (“*Tamura*”) (US 6,806,978 B1) in view of *Hannah* (US 5,784,581). As noted above, Applicants have canceled claims 36, 38, 39, and 41. As such, the obviousness rejection of claims 36, 38, 39, and 41 is moot.

New Claims

As noted above, Applicants have added claims 42-45. Claims 42-44 correspond to claims 1, 5, and 6, respectively, of Japanese Patent No. 3636358, which issued from one of the Japanese applications from which the subject application claims priority (JP 2002-056675). Claim 45 corresponds to claim 1 of Japanese Patent No. 3636359, which issued from the other of the Japanese applications from which the subject application claims priority (JP 2002-056676). As such, claims 42-45 are supported by Applicants’ disclosure.

To the extent that the obviousness rejection based on the combination of the *Tamura* and *Hannah* references might be considered applicable to claims 42-45, Applicants believe that the subject matter defined in claims 42-45 includes numerous features that are neither shown nor suggested in either the *Tamura* or *Hannah* references. Thus, even if one having ordinary skill in the art were to combine the *Tamura* and *Hannah* references in the manner

proposed by the Examiner, the result of this combination would not have included each and every feature of the subject matter defined in claims 42-45.

Accordingly, claims 42-45 are believed to be patentable under 35 U.S.C. § 103(a) over the combination of *Tamura* in view of *Hannah*.

Conclusion

In view of the foregoing, Applicants respectfully request examination of claims 42-45, and submit that these claims are in condition for allowance. Accordingly, issuance of a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. NGBCP007).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

/Peter B. Martine/

Peter B. Martine
Registration No. 32,043

710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Customer No. 25920